IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

NOTICE OF MOTION NO.194 OF 2006
IN
INSOLVENCY NO.77 OF 2003
IN
NOTICE NO.N/5 OF 2003

Re : Vishwanath D. Gokhale .. Judgment Debtor.
Ex-parte :
Mrs. Bimla Sohanlal Jain .. Petitioning Creditor.
...
Mr. Prashant Chande for the Petitioning Creditor.
Mr. Y.C. Parikh, Official Assignee present.
....
CORAM: DR. D.Y. CHANDRACHUD, J.

19th December, 2006.

P.C. :

The Insolvency Notice in the present case is founded on a decree of this Court dated 28th August, 2002 in Summary Suit 1292 of 2002. An ex parte decree is nonetheless a decree. The observations of the Supreme Court in **Paramjeet Singh Patheja v. I. C. D. S. Limited** (Civil Appeal 4130 of 2006 decided on 31st October, 2006) related to an arbitral award. There is no merit in the Motion which is accordingly dismissed.